

Special Use Permit Guidelines

City of Scottsdale McDowell Sonoran Preserve



Background

Per Chapter 21 of the Scottsdale Revised Code, the purpose of the McDowell Sonoran Preserve (“Preserve”) is to preserve in perpetuity the Sonoran Desert and mountains to maintain scenic views, as a habitat for wildlife and desert plants; to protect archeological and historical resources and sites, while providing appropriate public access for educational purposes; and provide passive outdoor recreational opportunities for residents and visitors. There are a variety of requests for various types of special uses which could be permitted by the Preserve Director according to the Preserve Ordinance.

Policy

Special Use Permits will only be issued for activities that are compatible with the purpose and the management objectives of the Preserve, per Chapter 21 of the Scottsdale Revised Code. Special Use Permits do not allow for exclusive use of the space or trail, as it remains open and accessible to the public. The use of the Preserve by the general public and the protection of the Preserve’s natural and cultural resources are given priority and are a factor in determining whether a permit is issued. All permit requests are considered on a case-by-case basis, according to the details of the request and factors including, but not limited to location, time of year, day of the week, and time of day. Permittees must abide by all rules and regulations of the Preserve, as identified in Chapter 21 of the Scottsdale Revised Code, unless otherwise permitted by the terms of the permit.

Special Use Permit Categories

Special Use Permits are divided into several categories, as described below. Please note the particular restrictions and fees associated with each category.

➤ **Weddings and other Ceremonies or Gatherings**

- Location is limited to the amphitheaters at Lost Dog Wash, Gateway, Brown’s Ranch, or Tom’s Thumb Trailheads and the View Terrace at the Gateway Trailhead
- Participation limit is 40 people
- Use fee is \$100
- Equipment is not permitted including items such as shade structures, decorations, candles, chairs, arbors, etc. Amplified sound and live music are prohibited. Flowers

may be carried but no sprays or stands of flowers are permitted. Public restrooms may not be used as changing rooms.

- If a professional photographer is being used, a separate permit is required, as described in the next section.

➤ **Professional Family Photography**

- Professional family photography includes photographs being taken by a professional for personal use, and not intended to be used for mass distribution or commercial purposes.
- Location may be at any trailhead or trail in the Preserve, pending approval.
- Participation limit is 12 people including photographers and subjects.
- Use fee of \$50 for one day or \$300 for a year-long permit.
- Props are not permitted, including but not limited to carpets, couches, chairs, tents, tables, ladders or lamps. Tripods and light diffusers may be used.
- Proof of insurance that meets City of Scottsdale conditions is required.

➤ **Production Photography and/or Filming**

- Production Photography and/or Filming includes still photo or video shoots for magazines, advertising, movies, commercials, promotional videos, marketing materials, etc.
- Location may be at any trailhead or trail in the Preserve, pending approval.
- Participation limit is 12 people including photographers and subjects.
- Use fee of \$300 per day plus \$65 per hour for staff time.
- Staff must be present at all times while production is underway. Permit approval is dependent on availability of staff to be present during activity.
- Public restrooms may not be used as dressing rooms.
- Props are not permitted, including but not limited to carpets, couches, chairs, tents, tables, ladders or lamps. Tripods and light diffusers may be used.
- Proof of insurance that meets City of Scottsdale conditions is required.

➤ **Community Club Activities**

- Community Club Activities are non-competitive activities with no participant fees or voluntary donations, such as social hiking and riding clubs, school groups, boy and girl scouts, meet-up groups, etc.
- A Special Use Permit is required for groups of 35 or more participants.
- Location may be any trail, pending approval.
- No fee
- Participant limit is at the discretion of the Preserve Director.
- Groups are required to break into smaller groups of 20 or less.
- Safety and preparedness are important and having an emergency plan in place is encouraged.

➤ **Single-day Commercial Use/Guiding Services**

- Single Day Commercial Use/Guiding Services are activities with direct or indirect fees or voluntary donations, such as competitive trail runs, fundraisers, conference groups, bus tours, etc., and any guiding services, regardless of compensation. Recurring guiding services are subject to the Guiding Permit System for the Preserve, which operates on an annual basis.
- Location may be any trail or climbing area, pending city approval.
- Participant limit is determined at the discretion of the Preserve Director for each event.
- \$50 non-refundable application fee and a use fee of \$3.50 per participant. In lieu of \$3.50 per participant, permittee could provide equivalent value of service or contribution to the City of Scottsdale.
- For requests of a competitive nature, please see the “Competitive Activities” section below for additional requirements.
- Proof of insurance that meets City of Scottsdale conditions is required.

Competitive Activities

Requests for any activity of a competitive nature must be submitted to the Preserve Director at least 90 days prior to the requested event date. Applicants are strongly encouraged to submit a request as early as possible. If the Director determines that the request should go forward they will present the request to the McDowell Sonoran Conservancy and the McDowell Sonoran Preserve Commission at least 60 days prior to the requested event date for recommendation to the Preserve Director.

Each request is evaluated on an individual basis in accordance with SRC Section 21-22 (a). The Preserve Director, with such assistance of the commission as may be necessary and appropriate, is authorized to determine what activities may be allowed in the preserve, subject to obtaining a permit issued by the preserve director. The activities for which a permit may be issued may include some activities that would otherwise be prohibited by the chapter, when in the reasonable judgment of the preserve director, the activities serve or further a legitimate public, civic or educational purpose, and they are not inconsistent with the purpose of the preserve or preserve management objectives, as set forth in the chapter.

Widespread promotion of the activity without a permit should not be done. Any costs or efforts expended in promotion and any advertising done prior to the approval process, regardless of funds spent will not be considered a factor in the permit review process.

Permit Process

All applicants must complete the special use request form that provides detailed information about the special use request. All permit requests are considered on a case by case basis,

according to the details of the request and factors including, but not limited to location, time of year, day of the week, and time of day. The use of the Preserve by the general public and the protection of the Preserve's natural and cultural resources are given priority and factor into the determination of whether a permit is issued.

The request is reviewed and if found to be compatible with the purpose of the Preserve and these criteria, the Preserve Director, or designee, will conduct a permitting process which will include identifying the terms, conditions, location, duration, and other pertinent information related to the special use request. Prior to the issuance of a Special Use Permit, the terms and conditions of the permit must be accepted by those organizing the activity, necessary fees must be paid, and required insurance documentation outlined in the permit terms and conditions must be in place. The issuance of special use permits is regulated by this policy and Section 21-22 of the Scottsdale Revised Code which controls permits and procedures for special uses of the Preserve.

Fees

Fees and charges are subject to change, in accordance with the City Council approved rates for fees and charges.

Exemptions

These guidelines do not apply to City employees in the course of their official duties, or others authorized by the City to perform inspection, repair or maintenance work, persons providing emergency, search and rescue, medical or veterinary services, vendors or others on preserve related business, when authorized by the Preserve Director.

General Conditions

General conditions will be attached to all Special Use Permits for the McDowell Sonoran Preserve. These conditions must be adhered to by permit recipients. A Special Use Permit is valid only for the activities authorized on the permit. The permittee must notify the Preserve Director in writing of any requested changes. Requests for significant changes may necessitate a re-evaluation of the permit conditions or submittal of a revised request.

The General Conditions may include, but not be limited to, the following items:

- The issuance of a special use permit is a courtesy, not an entitlement
- All permittees must abide by any and all conditions of their permit, and Chapter 21 of the Scottsdale Revised Code as described in the permit. Permittees must also be aware

of and abide by all other applicable federal, state, county, or municipal laws, rules, and regulations.

- Special use activities must not infringe on the use or access to the Preserve by the general public.
- Special uses must be conducted in a manner consistent with the Preserve purpose and management objectives and any applicable City of Scottsdale requirements.
- Maximum group size will be determined according to specific activity and location, and will be specified on the permit. The Preserve Director has the discretion to require large groups to be divided into smaller groups, depending on the circumstances of the proposed special use.
- All trash must be packed out of the Preserve area, and Leave-No-Trace ethics and practices are to be used.
- Any physical disturbance to the Preserve resulting from the special uses must be repaired or otherwise returned to the original condition, to the greatest extent possible.
- Such other terms and conditions as may be included by the Preserve Director, in their sole discretion.

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